

### **REMARKS**

Reexamination and reconsideration of the captioned application are requested in view of the foregoing amendments and remarks that follow. Claims 1 to 37 and new claims 61 and 62 remain for consideration on the merits. Claims 38 to 46, 50 to 54 and 56 to 59 were previously canceled. Claims 47 to 49, 55 and 60 are canceled herein.

Support for the subject matter set forth in new claim 61 is found inter alia in claims 3 and 14 as originally filed, and in paragraphs [0032], [0133] and [0136].

Support for the subject matter set forth in new claim 62 is found inter alia in claim 3 as originally filed, and in paragraphs [0125], [0136] and [0137].

### **Claim Objection – 37 C.F.R. § 1.75**

Claim 60 has been objected to under 37 C.F.R. § 1.75 as being a substantial duplicate of claim 1. The objection is moot in view of the cancellation of claim 60.

### **Claim Rejections - 35 U.S.C. § 102**

The Examiner rejected claims 47 and 55 under 35 U.S.C. § 102(b) as being anticipated by JP 3-167286 (English language abstract) as set forth under item 4) of the Office Action. This rejection is moot in view of the cancellation of claims 47 and 55. An English language translation of the full disclosure has been obtained by the applicant and is submitted herewith (see the Information Disclosure Statement) for the Examiner's consideration.

The Japanese citation discloses a moisture-curable sealing composition containing a mixture of two polyurethane prepolymers (prepolymers (A) and (B)). The free isocyanate groups on each of prepolymers (A) and (B) can be blocked (page 7, paragraph 2, page 3, paragraph 2). The curable sealing composition is made by separately making each prepolymer (see Production Examples 1-5), and then mixing the pre-made prepolymers together to obtain the sealing composition (see mixing procedure for Working Examples 1-4 and Comparative Examples 1-7 on page 12). There is no disclosure of an aqueous dispersion step subsequent to prepolymer mixing.

The subject matter of new method claim 61 delineates over JP 3-167286 in that after the first prepolymer is made and blocked the second prepolymer is made in the presence of the first prepolymer. In other words, the reactant components of second prepolymer are reacted in the presence of the first prepolymer.

The subject matter of new dependent claim 62 further delineates over JP 3-167286 in that an aqueous dispersion step (with optional chain extension) is included.

The Examiner rejected claims 47 and 55 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,999,407 (to Gilch et al.) as set forth under item 5) of the Office Action. This rejection is moot in view of the cancellation of claims 47 and 55.

Gilch et al. disclose a hot melt polyurethane adhesive composition containing a mixture of at least two amorphous polyurethane prepolymers wherein each prepolymer provides a different glass transition point (column 1, lines 43-51). The adhesive composition is prepared by mixing two separately prepared prepolymers or by preparation of the second prepolymer in the first prepolymer (column 2, lines 22-25). In conjunction with the embodiment wherein the second prepolymer is prepared in the first prepolymer there is no disclosure of blocking the free isocyanate groups of the first prepolymer prior to the preparation of the second prepolymer. Moreover, there is no disclosure of a dispersion step subsequent to prepolymer mixing.

The subject matter of new claim 61, wherein the free isocyanate groups of first prepolymer are blocked prior to the preparation of the second prepolymer is not anticipated by Gilch et al.

The subject matter of new dependent claim 62 further delineates over Gilch et al. in that an aqueous dispersion step (with optional chain extension) is included.

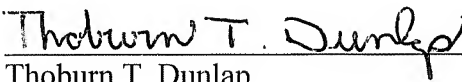
Again relying on 35 U.S.C. § 102(b), the Examiner rejected claims 1-13, 15-37, 47, 49, 55 and 60 as being anticipated by U.S. Patent No. 5,959,003 to Lo et al. for the reasons set forth under item 6) of the Office Action. The Examiner reasons that the phrases "Together dispersed in water" set forth in the Abstract, and "together dispersed into deionized water" set forth in column 3, lines 24-25 of Lo et al. indicate that the prepolymers are mixed together prior to dispersing them in water. Applicants respectfully disagree with this interpretation. It is submitted that these phrases do not

connote that the disclosed prepolymers are premixed prior to their dispersion in water. The term/phrase "together" and "together dispersed" do not unequivocally imply premixing as in the phrase "mixed together" to form a uniform mixture. By "together dispersed" the prepolymers can be simultaneously added from separate vessels or streams into the aqueous medium. If Lo et al. contemplated forming a uniform prepolymer mixture prior to the addition of the polyurethane prepolymer components to the aqueous medium to form a uniform dispersion they would have provided enabling disclosure to effect the mixing step. No definitive instructions are provided by the Lo et al. There is no disclosure or indication whatsoever that the Lo et al. prepolymers are mixed, blended or otherwise combined prior to their addition to the aqueous medium.

In view of the foregoing amendments and discussion, it is submitted that the instantly claimed subject matter is in condition for allowance. Accordingly, an early Notice of Allowance with respect to claims 1 to 37 and new claims 61 and 62 is earnestly solicited.

If the Examiner has any questions, please feel free to contact the undersigned at the telephone number noted below.

Respectfully submitted,

  
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